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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: John E. Sims

Docket No.: 0315-C

Serial No.: 09/965,640

Group Art Unit: 1646

Filing Date: September 27, 2001

Examiner: O. Chernyshev

For: IL-1 Delta DNA and Polypeptides

9/a
P.G.J
1/15/03

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to an Office Action having a mailing date of November 25, 2002, in which the Examiner restricted the invention into groups I and II and required Applicant to elect one of the inventions set forth by the Examiner, Applicants elect the invention of Group I, claims 1 through 9, drawn to a method for screening test compounds to determine whether the test compounds affects a biological activity of IL-1 epsilon.

In view of the election and amendment, Applicant requests favorable consideration and speedy allowance of the claims.

Respectfully submitted,

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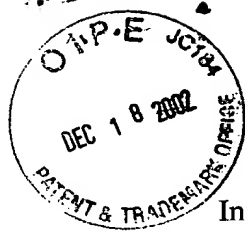
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date indicated below.

Date: December 13, 2002

By:

Camilla C. Edwards



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PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to an Office communication having a mailing date November 25, 2002, applicant requests that the claims be amended as shown below, and examined. Please amend claims 1 and 4 through 9 to read as follows. A marked-up copy of the claims is appended hereto. In the marked-up copy, material to be deleted is marked with a strikethrough (~~strikethrough~~) and material to be inserted is underlined.

Sub A1
a1
1. A method of treating an individual afflicted with an inflammatory and/or autoimmune disease comprising administering to the individual an IL-1 delta polypeptide selected from the group consisting of the polypeptide of SEQ ID NO:4, and polypeptides encoded by DNAs that hybridize under moderately stringent conditions to the DNA of SEQ ID NO:3 and further wherein the polypeptides block an inflammatory response selected from the group consisting of rheumatoid arthritis and inflammatory bowel disease.

a2
4. The method of claim 1, wherein the IL-1 delta polypeptides are selected from the group consisting of polypeptides comprising variant amino acid sequence that are at least 80% identical to the polypeptide of SEQ ID NO:4.

5. The method of claim 2, wherein the IL-1 delta polypeptides are selected from the group consisting of polypeptides comprising variant amino acid sequence that are at least 80% identical to the polypeptide of SEQ ID NO:4.